

Homeland Security shall notify, on a quarterly basis, the Committee on the Judiciary of the Senate and the Committee on the Judiciary of House of Representatives of the number of aliens who during the preceding 1-year period—

“(A) were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)); or

“(B) had such a visa or such status expire or be revoked or otherwise terminated.

“(2) ANNUAL SUBMISSION.—Beginning in fiscal year 2007, the Secretary of Homeland Security shall submit, on an annual basis, to the Committees on the Judiciary of the House of Representatives and the Senate—

“(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

“(B) the number of aliens who had such a visa or such status expire or be revoked or otherwise terminated during each month of such fiscal year; and

“(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

“(3) INFORMATION MAINTAINED BY STATE.—If the Secretary of Homeland Security determines that information maintained by the Secretary of State is required to make a submission described in paragraph (1) or (2), the Secretary of State shall provide such information to the Secretary of Homeland Security upon request.”.

RECAPTURE OF VISAS

SEC. 7007. Section 106(d)(2)(A) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1), by inserting before the period at the end of the second sentence “and any such visa that is made available due to the difference between the number of employment-based visas that were made available in fiscal year 2001, 2002, 2003, or 2004 and the number of such visas that were actually used in such fiscal year shall be available only to employment-based immigrants, and the dependents of such immigrants, and 50 percent of such visas shall be made available to those whose immigrant worker petitions were approved based on schedule A, as defined in section 656.5 of title 20, Code of Federal Regulations, as promulgated by the Secretary of Labor”; and

(2) in paragraph (2)(A), by striking “and 2000” and inserting “through 2004”.

RECIPROCAL VISAS FOR NATIONALS OF AUSTRALIA

SEC. 7008. (a) Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) by adding at the end “or (iii) solely to perform services in a specialty occupation in the United States if the alien is a national of the Commonwealth of Australia and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t)(1);”; and

(2) in clause (i), by striking “or” after “national.”.

(b) Section 202 of such Act (8 U.S.C. 1152) is amended by adding at the end the following new subsection:

“(f) SPECIAL RULE FOR AUSTRALIA.—The total number of aliens who may acquire nonimmigrant status under section 101(a)(15)(E)(iii) may not exceed 5000 for a fiscal year.”.

(c) Section 214(i)(1) of such Act (8 U.S.C. 1184(i)(1)) is amended by inserting “, section 101(a)(15)(E)(iii),” after “section 101(a)(15)(H)(i)(b)”.

(d) Section 212(t) of such Act (8 U.S.C. 1182(t)), as added by section 402(b)(2) of the United States-Chile Free Trade Agreement Implementation Act (Public Law 108-77; 117 Stat. 941), is amended—

(1) by inserting “or section 101(a)(15)(E)(iii)” after “section 101(a)(15)(H)(i)(b1)” each place it appears;

(2) in paragraph (3)(C)(i)(II), by striking “or” in the third place it appears;

(3) in paragraph (3)(C)(ii)(II), by striking “or” in the third place it appears; and

(4) in paragraph (3)(C)(iii)(II), by striking “or” in the third place it appears.

This Act may be cited as the “Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005”.

Amend the title so as to read: “An Act Making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and for other purposes.”.

ORDERS FOR TUESDAY, APRIL 26, 2005

Mr. INHOFE. Mr. President, I ask unanimous consent when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, April 26. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business for up to 60 minutes with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business the Senate resume consideration of the motion to proceed to H.R. 3, the highway bill, and there be 60 minutes of debate equally divided between the two leaders or their designees; provided further that upon the use or yielding back of that time the Senate proceed to the cloture vote on the motion to proceed to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I further ask consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party lunches.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. INHOFE. Tomorrow, following morning business, the Senate will resume consideration of the motion to proceed to the highway bill. Under the previous order, we will have up to 1 hour of debate prior to a cloture vote on the motion to proceed. The cloture vote will be at approximately 11:45 a.m., and that will be the first vote of tomorrow's session. It is my hope that cloture will be invoked and further that we would be able to move to the bill without using the full 30 hours of postcloture debate. Once on the bill, we will move forward with the amending process. Senators should expect additional rollcall votes during tomorrow's session.

On behalf of the leader, I inform my colleagues we will have a busy week leading into next week's recess. In addition to the highway bill, we will act

on the budget resolution conference report once it becomes available. There are a couple of important nominations expected to be reported out of the committee this week that we hope to act upon, as well. Rollcall votes are expected each day this week, and Senators are asked to plan their schedules accordingly.

ORDER FOR ADJOURNMENT

Mr. INHOFE. There being no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator BOXER for not to exceed 60 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, I had asked for an hour to speak for the RECORD on a number of issues. First, I will pay tribute to 53 young Americans who have been killed in Iraq since December 7, 2004. This brings to 402 the number of soldiers who were either from California or based in California that have been killed while serving our country. I want to make the point to my colleagues this represents 26 percent of all the military deaths in Iraq. Twenty-six percent of those deaths have come from California, either the person was born and raised in California or was stationed in California. We continue to mourn those losses. As I have promised since the day the war started, I will pay tribute to them by name so they are not forgotten.

CPL In C. Kim died December 7 as a result of a nonhostile vehicle incident in Al Anbar Province. He was assigned to Camp Pendleton.

PFC Christopher S. Adlesperger died December 9 as a result of enemy action in Al Anbar Province. He was also assigned to Camp Pendleton.

I want to mention the ages of these soldiers too. Corporal Kim was 23 years old. PFC Christopher Adlesperger was 20 years old.

SPC Edwin W. Roodhouse, 36 years old, died December 5 in Habbaniyah, Iraq, when an improvised explosive device detonated near his humvee. He was assigned to the 1st Battalion, 56th Infantry Regiment, 2nd Infantry Division, Camp Greaves, Korea, and he was from San Jose, CA.